

expired in November, 1934. As a general rule, I am opposed to the creation of additional courts, but speedy judicial determination of people's rights is necessary to the preservation of freedom; and, as pointed out, conditions in these counties are unusual.

True, we have a statute authorizing the transfer of judges. This is very good in theory, but does not work out in practice to my personal knowledge. During the last four months of 1934 I personally placed long distance calls to judges all over the State in an effort to get them to sit in special sessions in the East Texas oil field. My efforts were made after the presiding judges of the respective district courts had made similar requests and failed to prevail upon judges to perform this service. Most of these district judges seemed willing enough, but complained that business in their respective courts prevented their coming.

I do not expect to ask the Legislature to create any more courts.

Respectfully submitted,

JAMES V. ALLRED,  
Governor of Texas.

#### MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, January 18, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 28, A bill to be entitled "An Act creating the Special District Court of Rusk County, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation therefor, prescribing his powers and duties; providing for the transfer of cases from the Fourth Judicial District of Rusk County, and from the Special District Court to the Fourth Judicial District of Rusk County; providing for the District Clerk of Rusk County and his successor in office to be the clerk for said Special District Court in said county; providing that the District Attorney of the District Court of Rusk County shall represent the State in said Special District Court in said county, without extra compensation from said Special Dis-

trict Court of said county; providing a seal for said Special District Court; providing that if any section of this Act be held unconstitutional or invalid for any reason, the same shall not impair or affect the remaining section or provisions, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 28, to the Committee on Judicial Districts.

#### ADJOURNMENT

Mr. Dunagan moved that the House adjourn until 10 o'clock a. m., next Monday.

Mr. Olsen moved that the House adjourn until 10 o'clock a. m., next Tuesday.

Question first recurring on the motion of Mr. Dunagan, it prevailed, and the House accordingly at 2:55 o'clock p. m., adjourned until 10 o'clock a. m., next Monday.

#### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports as follows:

Judicial Districts: Senate Bills Nos. 28 and 68.

Federal Relations: House Concurrent Resolution No. 16.

#### TENTH DAY

(Monday, January 21, 1935)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following members were present:

Mr. Speaker	Ash
Adamson	Atchison
Adkins	Beck
Aikin	Bergman
Alexander	Bourne
Alsup	Bradbury

Bradford	King
Burton	Knetsch
Butler of Brazos	Lange
Butler of Karnes	Lanning
Cagle	Latham
Caldwell	Leath
Calvert	Lemens
Canon	Leonard
Celaya	Lindsey
Clayton	Lotief
Colquitt	Lucas
Colson	Luker
Cooper	Mauritz
Cowley	McCalla
Craddock	McConnell
Crossley	McFarland
Daniel	McKee
Davis	Moffett
Davison of Fisher	Moore
Davisson	Morris
of Eastland	Morrison
Dickison	Morse
Dunagan	Newton
Dunlap of Hays	Nicholson
Dunlap of Kleberg	Olsen
Dwyer	Padgett
England	Palmer
Fain	Patterson
Fisher	Payne
Fitzwater	Petsch
Ford	Pope
Fox	Quinn
Frazer	Reed of Bowie
Fuchs	Reed of Dallas
Gibson	Riddle
Glass	Roach of Angelina
Good	Roach of Hunt
Graves	Roane
Gray	Roark
Greathouse	Roberts
Hankamer	Rogers
Hardin	Russell
Harris of Archer	Rutta
Harris of Dallas	Scarborough
Hartzog	Settle
Head	Shofner
Herzik	Smith
Hill	Spears
Hodges	Stanfield
Hofheinz	Steward
Holland	Stinson
Hoskins	Stovall
Howard	Tarwater
Huddleston	Tennyson
Hughes	Thornton
Hunt	Tillery
Hunter	Venable
Hyder	Waggoner
Jackson	Walker
James	Wells
Jefferson	Westfall
Jones of Atascosa	Wood of Harrison
Jones of Falls	Wood of Montague
Jones of Runnels	Worley
Jones of Shelby	Young
Jones of Wise	Youngblood
Keefe	

## Absent—Excused

Broyles	Farmer
Collins	Reader
Duvall	

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

## LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence on account of important business:

Mr. Collins for today, on motion of Mr. Harris of Dallas.

Mr. Reader for today, on motion of Mr. Glass.

Mr. Duvall for today, on motion of Mr. Calvert.

Mr. Farmer for today, on motion of Mr. Fox.

Mr. Broyles was granted leave of absence for today on account of a death in his family, on motion of Mr. Aikin.

## HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Bradbury, Mr. Lotief, Mr. Fitzwater, Mr. Davis, Mr. Settle, and Mr. Davison of Fisher:

H. B. No. 220, A bill to be entitled "An Act to amend Article 2189 of the Revised Civil Statutes of 1925, and providing a method for the trial of civil causes upon special issues of fact submitted to the jury, and requiring the trial judge to submit such cause upon a general charge unless all parties agree for the cause to be submitted on special issues; and repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Hartzog:

H. B. No. 221, A bill to be entitled "An Act for the purpose of establishing necessary rules and regulations to permit the production of certified oysters and clams in the State of Texas, and providing certain rules and regulations for the production and handling of oysters and clams in order to properly protect the health of the

consumers of sea food, etc., and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Duvall and Mr. Dunagan:

H. B. No. 222, A bill to be entitled "An Act to provide for appeals by aggrieved property owners from decisions of commissioners courts, sitting as boards of equalization, fixing property assessments for tax valuation purposes to the district court, according to the rules and procedure herein set out, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Reed of Dallas:

H. B. No. 223, A bill to be entitled "An Act levying and imposing license taxes and occupation taxes on coin operated vending machines as defined in the Act, providing for certain exceptions and exemptions, prescribing penalties for violation of acts prohibited hereby and for failure to do and perform acts required to be done and performed under the provisions of this Act, to repeal Chapter 116, Acts of the First Called Session of the Forty-third Legislature, and to provide against counties, cities, and towns imposing any additional occupation tax by virtue of the taxes levied and imposed by this Act, etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Westfall:

H. B. No. 224, A bill to be entitled "An Act to amend Article 2326 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 195, Acts Forty-third Legislature, providing for the salary of official shorthand reporters in all Judicial Districts of Texas and the manner of payment of same, etc., and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Hankamer, Mr. Clayton, and Mr. Jackson:

H. B. No. 225, A bill to be entitled "An Act to amend Acts of 1927, Fortieth Legislature, First Called Session, Chapter 80, by adding thereto Section 9a, providing for the levying of a tax annually against the property in each of the counties composing a road district composed of two or

more counties, for the purpose of securing rights of way within such district for such highways as such districts were created to construct, maintain and operate or acquire, and for the maintenance of such district highways as are not maintained by the State as State highways, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Gibson and Mr. Latham:

H. B. No. 226, A bill to be entitled "An Act amending House Bill No. 49, Chapter 23, enacted by the First Called Session of the Forty-second Legislature, and brought forward in the codification of the statutes as Section 124 of Article 199, Revised Statutes; creating the One Hundred and Twenty-fourth Judicial District to be constituted of Gregg County, Texas, only; providing for the terms thereof; providing that such amendment should take the place of House Bill No. 49, Chapter 23, Section 124, of Article 199, enacted by the First Called Session of the Forty-second Legislature; providing that such amendment, in so far as it affects the creation of the One Hundred and Twenty-fourth Judicial District of Gregg County, Texas, the appointment of a suitable judge therefor, and other matters relating to the duties of said court, or affecting the same, should not become operative until August 13, 1935, etc., and declaring an emergency."

Referred to Committee on Judicial Districts.

#### BILLS RE-REFERRED

On motion of Mr. Lotief, House Bill No. 46 was withdrawn from the Committee on State Affairs and referred to the Committee on Municipal and Private Corporations.

On motion of Mr. Lange, House Bill No. 12 was withdrawn from the Committee on State Affairs and referred to the Committee on Municipal and Private Corporations.

#### ADDITIONAL SIGNERS OF CERTAIN BILLS AND RESOLUTIONS

By unanimous consent of the House, the names of Messrs. Hoskins and Davis were added to House Bill No. 107 as signers of same.

By unanimous consent of the House, the name of Mr. Jones of Falls was added to House Bill No. 4 as one of the signers of same.

By unanimous consent of the House, the names of Mr. Venable and Mr. Stovall were added to House Bills Nos. 73 and 86 as co-authors of the bill.

By unanimous consent of the House, the name of Mr. Thornton was added to House Bill No. 191 as one of the authors of same.

By unanimous consent of the House, the names of Messrs. McKee and Nicholson were added to House Bill No. 155 as co-authors of same.

By unanimous consent of the House, the name of Mr. Nicholson was added to House Bill No. 60 as one of the signers of same.

By unanimous consent of the House, the names of Messrs. Clayton and Hankamer were added to House Bills Nos. 152 and 153 as signers of same.

By unanimous consent of the House, the name of Mr. Dunagan was ordered added to House Bill No. 222 as one of the signers thereof.

By unanimous consent of the House, the name of Mr. Moffett was added to House Joint Resolutions Nos. 6 and 11 as one of the signers of the resolutions.

By unanimous consent of the House, the name of Mr. Fain was added to House Joint Resolution No. 22 as one of the signers of the resolution.

By unanimous consent of the House, the name of Mr. Hardin was added to House Bill No. 180 as one of the signers of the bill.

By unanimous consent of the House, the name of Mr. Hunter was added to House Bills Nos. 137 and 154 as one of the authors of same.

#### SENATE BILL NO. 68 ON SECOND READING

On motion of Mr. Cooper, by unanimous consent of the House, the Twenty-four Hour House Rule relative to the consideration of printed bills, was suspended for the purpose of considering, at this time, Senate Bill No. 68.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 68, A bill to be entitled "An Act creating the Special District

Court of Smith County, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation therefor, prescribing his powers and duties, providing for the transfer of cases from the Seventh Judicial District of Smith County; and from the Special District Court to the Seventh Judicial District of Smith County; providing for the district clerk of Smith County and his successor in office to be the clerk for said Special District Court in said county; providing that the district attorney of the District Court of Smith County, and in his absence or inability, the county attorney of Smith County shall represent the State in said Special District Court in said county; providing a seal for said Special District Court; providing that if any section of this Act be held unconstitutional or invalid for any reason, the same shall not impair or affect the remaining sections or provisions, and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 68 ON THIRD READING

Mr. Cooper moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 68 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—131

Adamson	Cowley
Adkins	Craddock
Aikin	Crossley
Alexander	Daniel
Alsup	Davis
Ash	Davison of Fisher
Atchison	Davisson
Beck	of Eastland
Bergman	Dickison
Bourne	Dunagan
Bradbury	Dunlap of Hays
Bradford	Dwyer
Burton	England
Butler of Brazos	Fain
Butler of Karnes	Fisher
Cagle	Fitzwater
Caldwell	Ford
Canon	Fox
Clayton	Frazer
Cooper	Gibson

Glass	Morris
Good	Morrison
Graves	Morse
Gray	Newton
Greathouse	Nicholson
Hankamer	Olsen
Hardin	Padgett
Harris of Archer	Palmer
Harris of Dallas	Patterson
Hartzog	Payne
Head	Petsch
Herzik	Pope
Hill	Quinn
Hofheinz	Reed of Bowie
Holland	Reed of Dallas
Hoskins	Riddle
Howard	Roach of Angelina
Huddleston	Roach of Hunt
Hughes	Roane
Hunt	Roark
Hunter	Roberts
Hyder	Rogers
James	Russell
Jefferson	Rutta
Jones of Atascosa	Scarborough
Jones of Falls	Settle
Jones of Runnels	Shofner
Jones of Shelby	Smith
Jones of Wise	Spears
Keefe	Stanfield
King	Steward
Knetsch	Stinson
Lange	Stovall
Lanning	Tarwater
Latham	Tennyson
Leath	Thornton
Lindsey	Venable
Lotief	Waggoner
Lucas	Walker
Mauritz	Wells
McCalla	Westfall
McConnell	Wood of Harrison
McFarland	Wood of Montague
McKee	Worley
Moffett	Young
Moore	Youngblood

Nay—1

Luker

Absent

Calvert	Hodges
Celaya	Jackson
Colquitt	Lemens
Colson	Leonard
Dunlap of Kleberg	Tillery
Fuchs	

Absent—Excused

Broyles	Farmer
Collins	Reader
Duvall	

The Speaker then laid Senate Bill No. 68 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—131

Adamson	Hunt
Adkins	Hunter
Alexander	Hyder
Alsup	James
Ash	Jefferson
Atchison	Jones of Atascosa
Beck	Jones of Falls
Bergman	Jones of Runnels
Bourne	Jones of Shelby
Bradbury	Jones of Wise
Bradford	Keefe
Burton	King
Butler of Brazos	Knetsch
Butler of Karnes	Lange
Cagle	Lanning
Caldwell	Latham
Canon	Leath
Celaya	Leonard
Clayton	Lindsey
Colquitt	Lotief
Cooper	Lucas
Cowley	Mauritz
Craddock	McCalla
Crossley	McConnell
Daniel	McFarland
Davis	McKee
Davison of Fisher	Moffett
Davison of Eastland	Moore
Dickison	Morris
Dunagan	Morrison
Dunlap of Hays	Morse
Dwyer	Newton
England	Nicholson
Fain	Olsen
Fisher	Padgett
Fitzwater	Palmer
Ford	Patterson
Fox	Payne
Frazer	Pope
Fuchs	Quinn
Gibson	Reed of Bowie
Glass	Reed of Dallas
Good	Riddle
Gray	Roach of Angelina
Greathouse	Roach of Hunt
Hankamer	Roane
Hardin	Roark
Harris of Archer	Roberts
Harris of Dallas	Rogers
Hartzog	Russell
Head	Rutta
Herzik	Scarborough
Hill	Settle
Hodges	Shofner
Hofheinz	Smith
Holland	Spears
Hoskins	Stanfield
Howard	Steward
Huddleston	Stinson
Hughes	Stovall
	Tarwater

Tennyson	Wood of Harrison
Thornton	Wood of Montague
Waggoner	Worley
Walker	Young
Westfall	Youngblood

## Nays—4

Aikin	Luker
Graves	Tillery

## Absent

Calvert	Lemens
Colson	Petsch
Dunlap of Kleberg	Venable
Jackson	Wells

## Absent—Excused

Broyles	Farmer
Collins	Reader
Duvall	

SENATE BILL NO. 28 ON  
SECOND READING

On motion of Mr. Leath, by unanimous consent of the House, the Twenty-four Hour House Rule, relative to the consideration of printed bills, was suspended for the purpose of considering, at this time, Senate Bill No. 28.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 28, A bill to be entitled "An Act creating the Special District Court of Rusk County, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation therefor, prescribing his powers and duties; providing for the transfer of cases from the Fourth Judicial District of Rusk County, and from the Special District Court to the Fourth Judicial District of Rusk County; providing for the District Clerk of Rusk County and his successor in office to be the clerk for said Special District Court in said county; providing that the District Attorney of the District Court of Rusk County shall represent the State in said Special District Court in said county without extra compensation from said Special District Court of said county; providing a seal for said Special District Court; providing that if any section of this Act be held unconstitutional or invalid for any reason, the same shall not impair or affect the remaining

section or provisions, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 28 ON THIRD  
READING

Mr. Leath moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 28 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—132

Adamson	Hardin
Adkins	Harris of Archer
Aikin	Harris of Dallas
Alexander	Hartzog
Alsup	Head
Ash	Herzik
Atchison	Hill
Beck	Hodges
Bourne	Hofheinz
Bradbury	Hoskins
Bradford	Howard
Burton	Huddleston
Butler of Brazos	Hughes
Butler of Karnes	Hunt
Cagle	Hunter
Caldwell	Hyder
Canon	James
Celaya	Jefferson
Clayton	Jones of Atascosa
Colquitt	Jones of Falls
Cooper	Jones of Runnels
Cowley	Jones of Shelby
Craddock	Jones of Wise
Crossley	Keefe
Daniel	King
Davis	Knetsch
Davison of Fisher	Lange
Davisson	Lanning
of Eastland	Latham
Dickison	Leath
Dunagan	Leonard
Dunlap of Hays	Lindsey
Dwyer	Lotief
England	Lucas
Fain	Mauritz
Fisher	McCalla
Fitzwater	McConnell
Ford	McFarland
Fox	McKee
Frazer	Moffett
Fuchs	Moore
Gibson	Morris
Glass	Morrison
Good	Morse
Graves	Newton
Gray	Nicholson
Greathouse	Olsen
Hankamer	Padgett

Palmer	Smith
Patterson	Spears
Payne	Stanfield
Petsch	Steward
Pope	Stinson
Quinn	Stovall
Reed of Bowie	Tarwater
Reed of Dallas	Tennyson
Roach of Angelina	Thornton
Roach of Hunt	Waggoner
Roane	Walker
Roark	Wells
Roberts	Westfall
Rogers	Wood of Harrison
Russell	Wood of Montague
Rutta	Worley
Scarborough	Young
Settle	Youngblood
Shofner	

Nays—1

Luker

- Absent

Bergman	Jackson
Calvert	Lemens
Colson	Riddle
Dunlap of Kleberg	Tillery
Holland	Venable

Absent—Excused

Broyles	Farmer
Collins	Reader
Duvall	

The Speaker then laid Senate Bill No. 28 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—129

Adamson	Davison of Fisher
Adkins	Davisson
Alexander	of Eastland
Alsup	Dickison
Ash	Dunagan
Atchison	Dunlap of Hays
Beck	Dunlap of Kleberg
Bourne	Dwyer
Bradbury	England
Bradford	Fain
Burton	Fisher
Butler of Brazos	Fitzwater
Butler of Karnes	Ford
Caldwell	Fox
Canon	Frazer
Celaya	Fuchs
Clayton	Gibson
Colquitt	Glass
Cooper	Good
Cowley	Graves
Craddock	Gray
Crossley	Greathouse
Daniel	Hankamer
Davis	Hardin

Harris of Archer	Newton
Harris of Dallas	Nicholson
Hartzog	Olsen
Head	Padgett
Herzik	Palmer
Hill	Patterson
Hodges	Payne
Hofheinz	Petsch
Hoskins	Pope
Howard	Quinn
Huddleston	Reed of Bowie
Hughes	Reed of Dallas
Hunt	Roach of Angelina
Hunter	Roach of Hunt
Hyder	Roane
James	Roark
Jefferson	Roberts
Jones of Falls	Rogers
Jones of Runnels	Russell
Jones of Shelby	Rutta
Jones of Wise	Scarborough
King	Settle
Knetsch	Shofner
Lange	Smith
Lanning	Spears
Latham	Stanfield
Leath	Steward
Leonard	Stinson
Lindsey	Stovall
Lotief	Tarwater
Lucas	Tennyson
Mauritz	Thornton
McCalla	Venable
McConnell	Waggoner
McFarland	Walker
McKee	Westfall
Moffett	Wood of Harrison
Moore	Wood of Montague
Morris	Worley
Morrison	Young
Morse	Youngblood

Nays—4

Aikin	Luker
Cagle	Tillery

Absent

Bergman	Jones of Atascosa
Calvert	Keefe
Colson	Lemens
Holland	Riddle
Jackson	Wells

Absent—Excused

Broyles	Farmer
Collins	Reader
Duvall	

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, January 21, 1935.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has adopted

S. C. R. No. 5, Accepting the invitation of the Llano Chamber of Commerce to attend a barbecue at Buchanan Dam on January 26.

Respectfully,

BOB BARKER,

Secretary of the Senate.

#### TO PROVIDE FOR GROUP PICTURE OF MEMBERS

Mr. Fuchs offered the following resolution:

Whereas, It has been a custom of the House to leave a block-picture of its members; and

Whereas, Several studios of Austin wish to compliment the members of this House; therefore, be it

Resolved, That the Speaker appoint a committee of five to select, to the advantage of this House, a photographer to make, frame, and hang the picture of the Forty-fourth Legislature; and be it further

Resolved, That (1) the photographer doing the work must be a first-class photographer and able to do first-class work; (2) a uniform price must be agreed upon to be charged members for individual and miniature photographs; and be it further

Resolved, That the studio selected to do this work shall do said work without obligating any member; that the studio shall begin at once to complete the picture so that it may be delivered during this Regular Session; that they will make a first-class picture of each member and place in the group so as to show as nearly as possible the location of his seat; that under each picture is to appear the name of that member and his post-office address.

FUCHS,  
JAMES,  
ROBERTS,  
HEAD,  
DUNAGAN.

The resolution was read second time.

Mr. Russell moved that the resolution be referred to the Committee on Contingent Expenses.

Mr. Fuchs moved to table the motion to refer the resolution.

The motion to table was lost.

Question recurring on the motion to refer the resolution to the Committee on Contingent Expenses, it prevailed.

#### NAMING QUEEN OF MASCOTS OF THE HOUSE

Mr. Farmer offered the following resolution:

Whereas, It has been the custom of former Legislatures to have an official Queen of Mascots; and since we have in the House a charming child of winsome ways, and in every way properly fit to wear with delightful poise this honor of Queen of Mascots of the House of Representatives of the Forty-fourth Legislature; therefore, be it

Resolved, That Carrin Mauritz, who lost her mother at birth and who is the daughter of our distinguished member, the Hon. Fred Mauritz, of Jackson County, be, and she is officially named such Queen of Mascots of the House of Representatives for the Forty-fourth Legislature of the State of Texas; be it further

Resolved, That said Queen of Mascots have her picture made so that it may have a place among the pictures of the members of the House in the official group picture of the Forty-fourth Legislature of the State of Texas, when said official group picture is provided for.

Signed—Farmer, Stovall, Youngblood, McConnell, Roane, Nicholson, Fuchs, Davis, and Lanning.

The resolution was read second time, and was adopted.

Mr. Walker, being recognized by the Speaker, presented Carrin Mauritz to the House.

#### PROPOSED AMENDMENT TO THE HOUSE RULES

Mr. Lotief offered the following resolution:

Whereas, In times past many individuals have appeared before the various committees of this House and have given their views and their representations of facts as to proposed legislation; and

Whereas, In times past it has been ascertained that in a few instances, representations that were made before the various committees of this House were later found to be untrue and misleading; and

Whereas, The rules of this House should be amended so as to provide



that any member of a committee may demand that the person appearing before said committee be required to make his statement of facts under oath; now, there, be it

Resolved by the House of Representatives of the State of Texas, That Rule No. IX, Section 17, be amended to read as follows:

"The rules governing the proceedings of the House shall apply to the proceedings of the committee in so far as the same are applicable; and at any time a committee is holding a hearing on any proposed legislation, and any individual appears before said committee for the purpose of giving his views upon said legislation, and for the purpose of making representations as to facts concerning said legislation, any member of said committee may demand that said individual make his statement to said committee under oath; and when such a demand is made by any member of said committee, it shall be the duty of the chairman, or acting chairman, of said committee at said time to cause said individual to be placed under oath; and it shall be the duty of said chairman, or acting chairman, of said committee to instruct some official of the House who is authorized to administer oath, to administer to said individual an oath as follows:

"I, ....., of the County of ....., State of ....., do solemnly swear (or affirm) that the statement of facts that I am about to give to this committee are true and correct, so help me God."

The resolution was read second time, and was referred by the Speaker to the Committee on Rules.

#### EXTENDING GREETINGS OF THE HOUSE TO HON. FRANKLIN D. ROOSEVELT

Mr. Harris of Dallas offered the following resolution:

Whereas, All the people of this United States are mindful of the fact that the One who shapes our destinies has seen fit to place in the Chair in our National Capitol a man who has proven by his every act that his chief concern is an effort to better the living conditions of his fellow man and to bring us out of the depression; and

Whereas, He has at all times demonstrated to the satisfaction of all

that he is more than able to cope with the difficult task he has undertaken; and

Whereas, On the 30th day of January, 1935, he will celebrate his fifty-third birthday; and

Whereas, We, the members of the Forty-fourth House of Representatives are desirous of sending him our greetings and well wishes; therefore, be it

Resolved, That this resolution be printed in the Journal and a copy of the same be sent to our President, Franklin D. Roosevelt, with the wish that he may spend a most pleasant day and live to enjoy many, many more.

The resolution was read second time, and was unanimously adopted.

#### RELATIVE TO BARBECUE TO BE GIVEN BY LLANO CHAMBER OF COMMERCE

The Speaker laid before the House for consideration at this time, the following resolution:

S. C. R. No. 5, Accepting invitation to attend barbecue.

Whereas, The Llano Chamber of Commerce is to give a barbecue banquet in honor of the Forty-fourth Legislature on Saturday, January 26, at the site of the unfinished Buchanan Dam; and

Whereas, The said Llano Chamber of Commerce has extended a cordial invitation to all the members of the Forty-fourth Legislature, both Senate and House, to be the honor guests on that occasion and have generously offered to furnish free transportation to all members who desire it; therefore, be it

Resolved, by the Senate of Texas, the House of Representatives concurring, That we accept the invitation of the members of the Llano Chamber of Commerce to be their guests at said barbecue and express our appreciation and thanks for the consideration and courtesies extended by such invitation.

The resolution was read second time.

On motion of Mr. Petsch, the resolution was adopted.

#### BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice

thereof, and their captions had been read severally, the following enrolled bills:

S. B. No. 68, "An Act creating the Special District Court of Smith County, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation therefor, prescribing his powers and duties; providing for the transfer of cases from the Seventh Judicial District of Smith County, and from the Special District Court to the Seventh Judicial District of Smith County; providing for the district clerk of Smith County and his successor in office to be the clerk for said Special District Court in said county; providing that the district attorney of the District Court of Smith County, and in his absence or inability, the county attorney of Smith County shall represent the State in said Special District Court in said county; providing a seal for said Special District Court; providing that if any section of this Act be held unconstitutional or invalid for any reason, the same shall not impair or affect the remaining sections or provisions, and declaring an emergency."

S. B. No. 28, "An Act creating the Special District Court of Rusk County, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation therefor, prescribing his powers and duties; providing for the transfer of cases from the Fourth Judicial District of Rusk County, and from the Special District Court to the Fourth Judicial District of Rusk County; providing for the District Clerk of Rusk County and his successor in office to be the clerk for said Special District Court in said county; providing that the District Attorney of the District Court of Rusk County shall represent the State in said Special District Court in said county, without extra compensation from said Special District Court of said county; providing a seal for said Special District Court; providing that if any section of this Act be held unconstitutional or invalid for any reason, the same shall not impair or affect the remaining sections or provisions, and declaring an emergency."

#### CONCERNING CERTAIN RECOMMENDATION TO UNITED STATES DEPARTMENT OF AGRICULTURE

The Speaker laid before the House for consideration at this time, House Concurrent Resolution No. 16, relative to making certain recommendation to the United States Department of Agriculture, in regard to the planting of rice;

The resolution having heretofore been read second time, and referred to the Committee on Federal Relations;

The Committee on Federal Relations having recommended the adoption of the resolution.

Question then recurring on the resolution, it was adopted.

#### CONCERNING REPORT OF THE TEXAS CENTENNIAL COMMISSION

The Speaker laid before the House for consideration at this time, certain report by the Texas Centennial Commission.

On motion of Mr. Wells, the report was ordered printed in mimeograph form and placed on the desks of the members.

#### INVITATION TO ADDRESS THE HOUSE

Mr. Padgett offered the following resolution:

Whereas, The Hon. Paul King of Detroit, Michigan, President of the International Society for Crippled Children, is now in Austin, but will only be here for today and tomorrow; now, therefore, be it

Resolved by the House, That the Hon. Paul King be invited to address the House tomorrow at 10:30 a. m., for thirty (30) minutes.

PADGETT,  
MOORE,  
FORD.

The resolution was read second time.

Mr. Pope offered the following amendment to the resolution:

Amend the resolution by changing time from "10:30 a. m." to "1:30 p. m."

The amendment was lost.

Question recurring on the resolution, it was adopted.

# TO PROVIDE FOR COMMITTEE TO VISIT THE STATE ELEEMOSY- NARY INSTITUTIONS

Mr. McKee offered the following resolution:

Whereas, It is of primary importance to the various State institutions, to the people of the State and to this Legislature that the members of the House should have first-hand information touching the condition, management and needs of such institutions to the end that they may properly deal with them in the manner which they merit; and

Whereas, This information can only be obtained so as to be of value to this House, by members thereof visiting such institutions and learning the relative facts necessary to the purposes stated; therefore, be it

Resolved by the House of Representatives, That the Speaker appoint a committee of five to visit the various State eleemosynary institutions, a committee of five to visit the various State educational institutions and a like committee to visit the penitentiaries, which committees shall inspect carefully each of such institutions and a report thereon be made to this House at the earliest time practicable, the expenses of said committee to be paid out of the Contingent Expense Fund of the House.

Signed—McKee, Canon, Hodges, Hoskins, Bergman, Jefferson, Dunlap of Hays, Settle.

The resolution was read second time.

Mr. Fain moved that the resolution be referred to the Committee on Appropriations.

Mr. Wells moved that the resolution be tabled.

Question recurring on the motion to table the resolution, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—112

Adamson	Burton
Adkins	Butler of Karnes
Aikin	Cagle
Alsup	Caldwell
Ash	Calvert
Atchison	Canon
Beck	Colquitt
Bergman	Colson
Bourne	Cooper
Bradbury	Cowley
Bradford	Craddock

Crossley	Lucas
Daniel	Luker
Davisson	Mauritz
of Eastland	McCalla
Dickison	McFarland
Dunagan	Moffett
England	Moore
Fain	Morris
Fisher	Morrison
Fitzwater	Morse
Ford	Newton
Fox	Olsen
Gibson	Padgett
Glass	Patterson
Good	Payne
Graves	Petsch
Gray	Quinn
Greathouse	Reed of Bowie
Hankamer	Reed of Dallas
Hardin	Riddle
Harris of Archer	Roach of Angelina
Harris of Dallas	Roach of Hunt
Head	Roane
Hill	Roark
Hofheinz	Roberts
Holland	Russell
Huddleston	Rutta
Hughes	Scarborough
Hunt	Shofner
Hunter	Smith
Hyder	Spears
Jackson	Steward
James	Stinson
Jones of Atascosa	Tarwater
Jones of Falls	Tennyson
Jones of Runnels	Thornton
Jones of Wise	Venable
Keefe	Waggoner
King	Walker
Knetsch	Wells
Lanning	Westfall
Latham	Wood of Harrison
Leath	Worley
Lemens	Young
Leonard	Youngblood
Lindsey	

## Nays—15

Clayton	McKee
Frazer	Palmer
Fuchs	Rogers
Hodges	Stanfield
Howard	Stovall
Jefferson	Tillery
Jones of Shelby	Wood of Montague
McConnell	

## Present—Not Voting

Davis	Davison of Fisher
-------	-------------------

## Absent

Alexander	Herzik
Butler of Brazos	Hoskins
Celaya	Lange
Dunlap of Hays	Lotief
Dunlap of Kleberg	Nicholson
Dwyer	Pope
Hartzog	Settle

Absent—Excused

Broyles	Farmer
Collins	Reader
Duvall	

### PROVIDING FOR CERTAIN REPAIRS

Mr. Calvert offered the following resolution:

Whereas, The living quarters provided for the Speaker of the House are not sufficiently large or commodious to permit the Speaker and the members of his family to enjoy the ordinary conveniences; and

Whereas, The living quarters provided for the Lieutenant Governor have been enlarged and refurnished, and the Speaker of the House is entitled to living accommodations in keeping with his position and of equal dignity with those of the presiding officer of the Senate; now, therefore, be it

Resolved by the House of Representatives of the Forty-fourth Legislature, That the Committee on Contingent Expenses be instructed to make such changes, repairs and additions as are advisable and to purchase such furnishings and fixtures as are advisable; be it further

Resolved, That the expenses be paid out of the appropriation now made for the Contingent Expense Fund for the House of Representatives.

CALVERT,  
KING,  
MORSE,  
JAMES.

The resolution was read second time, and was adopted.

### ADJOURNMENT

On motion of Mrs. Fuchs, the House, at 12 o'clock m., adjourned until 10 o'clock a. m., tomorrow.

### APPENDIX

### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,  
Austin, Texas, January 18, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 9, Concerning erection of cigar stand in Capitol Building.

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,

Austin, Texas, January 18, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 6, Providing for a committee to draft a form of questionnaire,

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,

Austin, Texas, January 18, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 13, Providing for the taking effect of House Bill No. 7, passed at the Fourth Called Session of the Forty-third Legislature,

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

Committee Room,

Austin, Texas, January 21, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 16, Concerning acreage to be planted in rice,

Has carefully compared same, and finds it correctly engrossed.

HODGES, Chairman.

In Memory of  
**Mrs. W. C. Darnell**

---

Mr. Aikin offered the following resolution:

Whereas, The Divine Providence, which directs and shapes the destinies of mankind here on earth, has called from the walks of life Mrs. W. C. Darnell of Abilene, Texas, who was a sister of our beloved and esteemed member, Hon. Wallace Broyles; and

Whereas, Our deepest and most heartfelt sympathy at this time of bereavement goes out to our distinguished member and his family; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That we now express to Mr. Broyles our sincere sympathy in this his hour of bereavement, and that when the House adjourns today it do so out of honor and respect to the memory of Mrs. Darnell, and that a copy of this resolution be spread upon the Journal of the House and that copies be forwarded to the Hon. Wallace Broyles and to the members of his family.

AIKIN,  
TENNYSON,  
ROACH of Angelina.

Signed—Stevenson, Speaker; Adamson, Adkins, Alexander, Alsup, Ash, Atchison, Beck, Bergman, Bourne, Bradbury, Bradford, Burton, Butler of Brazos, Butler of Karnes, Cagle, Caldwell, Calvert, Canon, Celaya, Clayton, Collins, Colquitt, Colson, Cooper, Cowley, Craddock, Crossley, Daniel, Davis, Davison of Fisher, Davisson of Eastland, Dickison, Dunagan, Dunlap of Hays, Dunlap of Kleberg, Duvall, Dwyer, England, Fain, Farmer, Fisher, Fitzwater, Ford, Fox, Frazer, Fuchs, Gibson, Glass, Good, Graves, Gray, Greathouse, Hankamer, Hardin, Harris of Archer, Harris of Dallas, Hartzog, Head, Herzik, Hill, Hodges, Hofheinz, Holland, Hoskins, Howard, Huddleston, Hughes, Hunt, Hunter, Hyder, Jackson, James, Jefferson, Jones of Atascosa, Jones of Falls, Jones of Runnels, Jones of Shelby, Jones of Wise, Keefe, King, Knetsch, Lange, Lanning, Latham, Leath, Lemens, Leonard, Lindsey, Lotief, Lucas, Luker, Mauritz, McCalla, McConnell, McFarland, McKee, Moffett, Moore, Morris, Morrison, Morse, Newton, Nicholson, Olsen, Padgett, Palmer, Patterson, Payne, Petsch, Pope, Quinn, Reader, Reed of Bowie, Reed of Dallas, Riddle, Roach of Hunt, Roane, Roark, Roberts, Rogers, Russell, Rutta, Scarborough, Settle, Shofner, Smith, Spears, Stanfield, Steward, Stinson, Stovall, Tarwater, Thornton, Tillery, Venable, Waggoner, Walker, Wells, Westfall, Wood of Harrison, Wood of Montague, Worley, Young, Youngblood.

The resolution was read second time.

On motion of Mr. Latham, the names of all the members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.